

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(SOUTHERN DIVISION)**

TIFFANY JOHNSON,	*	
Plaintiff,	*	
v.	*	Civil Action No. 8:22-cv-02001-PX
	*	(lead)
CONTINENTAL FINANCE COMPANY, LLC, <i>et al.</i> ,	*	
Defendants.	*	
	*	
TRACEY CRIDER,	*	
Plaintiff,	*	
v.	*	Civil Action No. 8:23-cv-00854-PX
	*	(member)
CONTINENTAL FINANCE COMPANY, LLC, <i>et al.</i> ,	*	
Defendants.	*	
	*	
		* * * * *

**Motion To Approve *Cy Pres* Award**

Representative Plaintiffs Tiffany Johnson and Tracey Crider (“Representative Plaintiffs”) respectfully move to approve the award of any *cy pres* funds resulting from this case to four (4) not-for-profit institutions and organizations.

The Settlement Agreement in this case provides that if the Common Settlement Fund is not exhausted after distribution to Settlement Class Members (for example, if settlement checks mailed to Settlement Class Members are not negotiated), then those remaining funds will be donated, with the approval of the Court, as follows: a) the first \$20,000.00 shall be donated to the Maryland Volunteer Lawyers Service; b) the next \$20,000.00, if any, shall be donated to the CASH Campaign of Maryland; c) the next \$20,000.00, if any, shall be donated to the National Association for Consumer

Advocates; and, d) following these distributions, should any additional residual funds remain, they shall all be donated to the University of Maryland Francis King Carey School of Law. *See* ECF No. 73-2, Settlement Agreement ¶¶ 24(b)(iv) & (v).

Given the nature of the settlement here, and the general purpose of the equitable *cy pres* remedy – *i.e.*, to benefit members of a class and the public indirectly when provision of a direct benefit is impossible or difficult to attain – the four (4) proposed institutions and organizations are appropriate as *Cy Pres* Recipients.

Further grounds and authorities for this Motion are in the accompanying memorandum of law, which is hereby incorporated.

WHEREFORE, Representative Plaintiffs respectfully request that this Court approve the creation of a *cy pres* fund, as well as the proposed *Cy Pres* Recipients, in accordance with ¶¶ 24(b)(iv) & (v) of the Settlement Agreement, and enter the comprehensive proposed Final Order Approving Settlement and Certifying Settlement Class.

Respectfully submitted,

/s/ Benjamin H. Carney  
Benjamin H. Carney (Fed. Bar No. 27984)  
Richard S. Gordon (Fed. Bar No. 06882)  
GORDON, WOLF & CARNEY, CHTD.  
11350 McCormick Rd.  
Executive Plaza 1, Suite 1000  
Hunt Valley, Maryland 21031  
Tel. (410) 825-2300  
Fax. (410) 825-0066  
[rgordon@GWCfirm.com](mailto:rgordon@GWCfirm.com)  
[bcarney@GWCfirm.com](mailto:bcarney@GWCfirm.com)

**Attorneys for Representative Plaintiffs and  
the Settlement Class**